

SENATE BILL 311

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 5;  
Title 6; Title 7; Title 9; Title 38; Title 45 and Title  
67, relative to precious metals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding a law to the contrary, gold and silver coinage must be accepted as legal tender, at their spot price, and must be receivable in payment of all debts, public or private, hereafter contracted in this state. Costs incurred in the course of verification of the weight and purity of any gold or silver coinage during any such transaction must be borne by the receiving entity.

(b) No person or entity is required to use gold or silver coinage in the payment of any debt.

(c) This section does not prohibit the use of federal reserve notes in the payment of any debt.

(d) Except as otherwise provided in title 40, chapter 33, gold and silver are not subject to seizure.

(e) A person or entity may produce and sell gold or silver coins in this state, if:

(1) Each coin is labeled in a clear and intelligible manner with the weight and purity of the coin; and

(2) The seller otherwise complies with title 38, chapter 1, part 2.

SECTION 2. Tennessee Code Annotated, Section 67-1-703, is amended by adding the following as a new subsection:

(g) Notwithstanding this section or a law to the contrary, the commissioner shall accept gold and silver coinage in payment of all taxes or other amounts collected by the department subject to Section 1 of this act.

SECTION 3. Tennessee Code Annotated, Section 67-1-704(a), is amended by adding the following as a new subdivision:

( ) Gold and silver coinage subject to Section 1 of this act. The state shall purchase all gold and silver coinage received by the trustee pursuant to this subdivision (a)( ) at a price equivalent to the spot price at the time the trustee received the gold or silver coinage plus any costs incurred by the trustee in the course of verification of the weight and purity of any gold or silver coinage.

SECTION 4. Tennessee Code Annotated, Section 9-4-211, is amended by adding the following as a new subsection:

(e) Notwithstanding a law to the contrary, any gold and silver coinage received by this state under § 67-1-703(g) or Section 3 of this act must be stored in a depository institution and the value of the gold and silver coinage must be attributed to the balance of the reserve for revenue fluctuations. The gold and silver coinage must not be liquidated until all other funds in the reserve for revenue fluctuations have been expended.

SECTION 5. This act takes effect July 1, 2023, the public welfare requiring it.